

Manufacturer/exporter	Time period	Margin (percent)
Hammers/Sledges .....	2/1/93–1/31/94	7.26
Picks/Mattocks .....	2/1/93–1/31/94	36.92

Parties to the proceedings may request disclosure within 5 days of the date of publication of this notice. Any interested party may request a hearing within 10 days of publication. Any hearing, if requested, will be held 44 days after the publication of this notice, or the first workday thereafter. Interested parties may submit case briefs within 30 days of the date of publication of this notice. Rebuttal briefs, which must be limited to issues raised in the case briefs, may be filed not later than 37 days after the date of publication. See section 353.38(d) of the Department's regulations. The Department will publish a notice of final results of these administrative reviews, which will include the results of its analysis of issues raised in any such comments.

The Department shall determine, and the Customs Service shall assess, antidumping duties on all appropriate entries. Individual differences between U.S. price and FMV may vary from the percentages stated above. The Department will issue appraisal instructions directly to the Customs Service.

Furthermore, the following deposit requirements will be effective upon publication of the final results of these administrative reviews for all shipments of HFHTs from the PRC entered, or withdrawn from warehouse, for consumption on or after the publication date, as provided for by section 751(a)(1) of the Act: (1) The cash deposit rates for the reviewed companies named above which have separate rates will be the rates for those firms established in the final results of these administrative reviews; (2) for all other PRC exporters, the cash deposit rates will be the rates established in the LTFV investigations, the all-China rates; and (3) the cash deposit rates for non-PRC exporters of subject merchandise from the PRC will be the rates applicable to the PRC supplier of that exporter. The rates established in the LTFV investigations are 45.42 percent for hammers/sledges, 31.76 percent for bars/wedges, 50.81 percent for picks/mattocks, and 15.02 percent for axes/adzes. These deposit requirements, when imposed, shall remain in effect until publication of the final results of the next administrative reviews.

#### Notification of Interested Parties

This notice serves as a preliminary reminder to importers of their responsibility under section 353.26 of the Department's regulations to file a certificate regarding the reimbursement of antidumping duties prior to liquidation of the relevant entries during this review period. Failure to comply with this requirement could result in the Secretary's presumption that reimbursement of antidumping duties occurred and the subsequent assessment of double antidumping duties.

These administrative reviews and notice are in accordance with section 751(a)(1) of the Act (19 U.S.C. 1675(a)(1)) and section 353.22 of the Department's regulations.

Dated: August 8, 1995.

**Susan G. Esserman,**  
*Assistant Secretary for Import Administration.*

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BILLING CODE 3510–DS–P

#### A–570–822

#### Certain Helical Spring Lock Washers From the People's Republic of China; Preliminary Results of Antidumping Administrative Review

**AGENCY:** Import Administration, International Trade Administration, Department of Commerce.

**ACTION:** Notice of preliminary results of the antidumping duty administrative review.

**SUMMARY:** The Department of Commerce (the Department) is conducting an administrative review of the antidumping duty order on certain helical spring lock washers (HSLWs) from the People's Republic of China (PRC) in response to a request by the respondent, Zhejiang Wanxin Group Co., Ltd. (ZWG). This review covers shipments of this merchandise to the United States during the period October 15, 1993, through September 30, 1994.

We have preliminarily determined that sales have been made below foreign market value (FMV). If these preliminary results are adopted in our final results, we will instruct U.S. Customs to assess antidumping duties equal to the difference between United States price (USP) and FMV.

Interested parties are invited to comment on these preliminary results.

**EFFECTIVE DATE:** August 16, 1995.

**FOR FURTHER INFORMATION CONTACT:** Donald Little or Maureen Flannery, Office of Antidumping Compliance, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington D.C. 20230; telephone (202) 482–4733.

#### Background

The Department published in the **Federal Register** the antidumping duty order on HSLWs from the PRC on October 19, 1993 (58 FR 53914). On October 7, 1994, the Department published in the **Federal Register** (59 FR 51166) a notice of opportunity to request administrative review of the antidumping duty order on HSLWs from the PRC covering the period October 15, 1993, through September 30, 1994.

In accordance with 19 CFR 353.22(a)(1994), the respondent, ZWG, requested that we conduct an administrative review. We published a notice of initiation of this antidumping duty administrative review on November 14, 1994 (59 FR 56459). The Department is conducting this administrative review in accordance with section 751 of the Tariff Act of 1930, as amended (the Act).

#### Applicable Statute and Regulations

Unless otherwise indicated, all citations to the statute and the Department's regulations are in reference to the provisions as they existed on December 31, 1994.

#### Scope of Review

The products covered by this review are HSLWs of carbon steel, of carbon alloy steel, or of stainless steel, heat-treated or non heat-treated, plated or non-plated, with ends that are off-line. HSLWs are designed to: (1) function as a spring to compensate for developed looseness between the component parts of a fastened assembly; (2) distribute the load over a larger area for screws or bolts; and (3) provide a hardened bearing surface. The scope does not include internal or external tooth washers, nor does it include spring lock washers made of other metals, such as copper.

HSLWs subject to this review are currently classifiable under subheading

7318.21.0000 of the Harmonized Tariff Schedule of the United States (HTS). Although the HTS subheading is provided for convenience and Customs purposes, the written description of the scope of this proceeding is dispositive.

This review covers one exporter of HSLWs from the PRC, ZWG, and the period October 15, 1993, through September 30, 1994.

#### Separate Rates

To establish whether a company operating in a state-controlled economy is sufficiently independent to be entitled to a separate rate, the Department analyzes each exporting entity under the test established in the *Final Determination of Sales at Less Than Fair Value: Sparklers from the People's Republic of China* (56 FR 20588, May 6, 1991) (*Sparklers*), as amplified by the *Final Determination of Sales at Less Than Fair Value: Silicon Carbide from the People's Republic of China* (59 FR 22585, May 2, 1994) (*Silicon Carbide*). Under this policy, exporters in non-market economies (NMEs) are entitled to separate, company-specific margins when they can demonstrate an absence of government control, both in law and in fact, with respect to exports. Evidence supporting, though not requiring, a finding of *de jure* absence of government control over export activities includes: 1) an absence of restrictive stipulations associated with an individual exporter's business and export licenses; 2) any legislative enactments decentralizing control of companies; and 3) any other formal measures by the government decentralizing control of companies. *De facto* absence of government control over exports is based on four factors: 1) whether each exporter sets its own export prices independently of the government and without the approval of a government authority; 2) whether each exporter retains the proceeds from its sales and makes independent decisions regarding the disposition of profits or financing of losses; 3) whether each exporter has the authority to negotiate and sign contracts and other agreements; and 4) whether each exporter has autonomy from the government regarding the selection of management.

During the less than fair value (LTFV) investigation of this case, the Department determined that ZWG, then known as Hangzhou Spring Washer Plant, warranted a company-specific dumping margin according to the criteria identified in *Sparklers*. (See *Final Determination of Sales at Less Than Fair Value: Certain Helical Spring*

*Lock Washers From the People's Republic of China*, 58 FR 48833 (September 20, 1993) (*Lock Washers*).) We have found that the evidence on the record of this review also demonstrates an absence of government control, both in law and in fact, with respect to ZWG's exports according to the criteria identified in *Sparklers*, and an absence of government control with respect to the additional criteria identified in *Silicon Carbide*. For further discussion of the Department's preliminary determination that ZWG is entitled to a separate rate, see *Decision Memorandum to Holly A. Kuga, Director, Office of Antidumping Compliance*, dated July 21, 1995, "Separate Rates in the First Administrative Review of Certain Helical Spring Lock Washers from the People's Republic of China," which is on file in the Central Records Unit (room B099 of the Main Commerce Building).

#### United States Price

For sales made by ZWG, we based USP on purchase price, in accordance with section 772(b) of the Act, because the subject merchandise was sold to unrelated purchasers in the United States prior to importation into the United States.

We calculated purchase price based on the FOB, CNF, and CIF price to unrelated purchasers. We made deductions, where appropriate, for brokerage and handling, foreign inland freight, ocean freight, and marine insurance. We valued brokerage and handling, foreign inland freight, and marine insurance deductions using surrogate data based on Indian costs. ZWG reported amounts for ocean freight based, in part, on services provided by shipping companies based in the PRC. For the portion of the shipment expenses from the PRC port to Hong Kong provided by PRC-owned transportation, we calculated a separate charge using surrogate data based on Indian costs. We selected India as the surrogate country for the reasons explained in the "Foreign Market Value" section of this notice.

#### Foreign Market Value

For all companies located in NME countries, section 773(c)(1) of the Act provides that the Department shall determine FMV using a factors-of-production methodology if (1) the merchandise is exported from an NME country, and (2) the information does not permit the calculation of FMV using home market prices, third country prices, or constructed value (CV) under section 773(a) of the Act.

In every case conducted by the Department involving the PRC, the PRC has been treated as an NME country. None of the parties to this proceeding has contested such treatment in this review. Accordingly, we calculated FMV based on factors of production in accordance with section 773(c) of the Act and section 353.52 of the Department's regulations. We determined that India is comparable to the PRC in terms of per capita gross national product (GNP), the growth rate in per capita GNP, and the national distribution of labor, and is a significant producer of comparable merchandise. For this review, we chose India as the most comparable surrogate on the basis of the above criteria, and have used publicly available information relating to India to value the various factors of production. (See *Memorandum from Director, Office of Policy to Division Director, Office of Antidumping Compliance*, dated June 9, 1995, "Lock Washers from the People's Republic of China (PRC): Nonmarket Economy Status and Surrogate Country Selection," and the memorandum from the analyst to the file, dated July 20, 1995, "India: Significant Production of Comparable Merchandise," which are on file in the Central Records Unit (room B099 of the Main Commerce Building).)

We valued the factors of production as follows:

- For steel wire rods, we used a per kilogram value obtained from the *Monthly Statistics of Foreign Trade of India* for the period April 1993 through March 1994. Using wholesale price indices (WPI) obtained from the *International Financial Statistics*, published by the International Monetary Fund (IMF). We adjusted these values to reflect inflation through the period of review (POR). We made further adjustments to include freight costs incurred between the supplier and ZWG.

- For chemicals used in the production and plating of HSLWs, we used per kilogram values obtained from the *Monthly Statistics of Foreign Trade of India*. We adjusted these rates to reflect inflation through the POR using WPI published by the IMF. We made further adjustments to include freight costs incurred between the supplier and ZWG.

- For hydrochloric acid, we based the value on an Indian price quote used in the *Final Determination of Sales at Less Than Fair Value: Coumarin from the People's Republic of China* (59 FR 66895, December 28, 1994) (*Coumarin*), because the Indian Import Statistics for hydrochloric acid were found to be

aberrational. We adjusted the value used in *Coumarin* to reflect inflation through the POR using WPI published by the IMF.

- For direct labor, we used the labor rates reported in the Business International Corporation report *IL&T India*, released November 1993. This source breaks out labor rates between skilled, unskilled, and semi-skilled labor for 1993 and provides information on the number of labor hours worked per week. We adjusted these rates to reflect inflation through the POR using WPI published by the IMF.

- For factory overhead, we used information reported in the September 1994 *Reserve Bank of India Bulletin*. From this information, we were able to determine factory overhead as a percentage of the total surrogate cost of manufacture.

- For selling, general and administrative (SG&A) expenses, we used information obtained from the September 1994 *Reserve Bank of India Bulletin*. We calculated an SG&A rate by dividing SG&A expenses by the cost of manufacture. Since the calculated SG&A expense rate is less than 10 percent of the surrogate cost of manufacture, we used the statutory minimum of 10 percent.

- To calculate a profit rate, we used information obtained from the September 1994 *Reserve Bank of India Bulletin*. We calculated a profit rate by dividing the before-tax profit by the cost of manufacturing plus SG&A. Since the calculated profit rate is less than 8 percent, we used the statutory minimum of 8 percent to calculate profit.

- To value the packing materials, including paper cartons, pallets, wood brackets, steel straps, plastic bags, and adhesive tape, we used import statistics for India obtained from the *Indian Import Statistics*. We adjusted these rates to reflect inflation through the POR using WPI published by the IMF. We adjusted these values to include freight costs incurred between the suppliers and ZWG.

- To value coal, we used per kilogram value obtained from the *Monthly Statistics of Foreign Trade of India*. We adjusted these rates to reflect inflation through the POR using WPI published by the IMF.

- To value electricity, we used the price of electricity for 1993 reported in the *Confederation of Indian Industries Handbook of Statistics*. We adjusted the value of electricity to reflect inflation through the POR using WPI published by the IMF.

- To value water, we used the Asian Development Bank's *Water Utilities Data Book for the Asian and Pacific*

*Region*, November 1993. We adjusted the value of water to reflect inflation through the POR using WPI published by the IMF.

- To value truck and shipping freight, we used the rates reported in an August 1993 cable from the U.S. Consulate in India submitted for *Lock Washers*. We adjusted the value to reflect inflation through the POR using WPI published by the IMF.

- To value rail freight, we used the price reported in a December 1989 cable from the U.S. Embassy in India submitted for the *Final Results of Antidumping Duty Administrative Review: Shop Towels of Cotton from the People's Republic of China* (56 FR 4040, February 1, 1991). We adjusted the rail freight rates to reflect inflation through the POR using WPI published by the IMF.

#### Currency Conversion

We made currency conversions in accordance with 19 CFR 353.60(a). Currency conversions were made at the rates certified by the Federal Reserve Bank.

#### Preliminary Results of the Review

We preliminarily determine that the following dumping margin exists:

Manufacturer/exporter	Time period	Margin (percent)
Zhejiang Wanxin Group Co., Ltd.	10/15/93–09/30/94	22.81

Parties to the proceeding may request disclosure within 5 days of the date of publication of this notice. Any interested party may request a hearing within 10 days of publication. Any hearing, if requested, will be held 44 days after the publication of this notice, or the first workday thereafter. Interested parties may submit case briefs within 30 days of the date of publication of this notice. Rebuttal briefs, which must be limited to issues raised in the case briefs, may be filed not later than 37 days after the date of publication. The Department will publish a notice of final results of this administrative review, which will include the results of its analysis of issues raised in any such comments.

The Department shall determine, and the Customs Service shall assess, antidumping duties on all appropriate entries. Individual differences between USP and FMV may vary from the percentage stated above. The Department will issue appraisement

instructions directly to the Customs Service.

Furthermore, the following deposit rates will be effective upon publication of the final results of this administrative review for all shipments of HSLWs from the PRC entered, or withdrawn from warehouse, for consumption on or after the publication date, as provided for by section 751(a)(1) of the Act: (1) for ZWG, which has a separate rate, the cash deposit rate will be the company-specific rate established in the final results of this review; (2) for all other PRC exporters, the cash deposit rate will be 128.63 percent, the rate established in the LTFV investigation of this case, the PRC rate; and (3) for non-PRC exporters of subject merchandise from the PRC, the cash deposit rate will be the rate applicable to the PRC supplier of that exporter.

These deposit rates, when imposed, shall remain in effect until publication of the final results of the next administrative review.

This notice also serves as a preliminary reminder to importers of their responsibility under 19 CFR 353.26 to file a certificate regarding the reimbursement of antidumping duties prior to liquidation of the relevant entries during this review period. Failure to comply with this requirement could result in the Secretary's presumption that reimbursement of antidumping duties occurred and the subsequent assessment of double antidumping duties.

This administrative review and notice are in accordance with section 751(a)(1) of the Act (19 U.S.C. 1675(a)(1)) and 19 CFR 353.22.

Dated: August 8, 1995.

**Susan G. Esserman,**

*Assistant Secretary for Import Administration.*

[FR Doc. 95–20212 Filed 8–15–95; 8:45 am]

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[A–570–838]

#### Honey From the People's Republic of China; Suspension of Investigation

**AGENCY:** Import Administration, International Trade Administration, Department of Commerce.

**ACTION:** Notice of suspension of investigation; honey from the People's Republic of China.

**SUMMARY:** The Department of Commerce (the Department) has suspended the antidumping investigation on honey from the People's Republic of China (PRC). The basis for the suspension is an agreement by the Government of the